

Waltham City Council
Minutes of the Meeting of
December 13, 2021

President Brasco called the meeting to order at 7:30 p.m.

Present: Councillors Darcy, Dunn, Durkee, Harris, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen. O'Brien, Paz, Vidal and Brasco

Absent: LaCava and Stanley.

City Clerk Waddick recited the Council Prayer followed by President Brasco leading all present in the Pledge of Allegiance. Councillor Durkee asked for a moment of silence for all military that have served past and present. President Brasco asked for a moment of silence for Father Dennis Wheatley who had recently passed away.

Councillor LeBlanc moved approval of the 11/22/2021 special meeting minutes. The motion was adopted on a voice vote and the matter was approved.

Councillor Paz moved approval of the 11/22/2021 regular meeting minutes. The motion was adopted on a voice vote and the matter was approved.

Councillor McMenimen moved approval of the 11/22/2021 Executive Session Minutes. The motion was adopted on a voice vote and the matter was approved. Councillor McMenimen made a request that was approved by a voice vote to send the minutes to the Law Department for review as to form and content.

Councillor McMenimen moved to suspend Rule 8 and Rule 39 to take a matter out of order and to hear from off committee members. The motion was adopted on a voice vote and the matter was approved.

President Brasco welcomed the 2021 Waltham High School Cheer Team and congratulated them on being the 2021 State Champions in the Division 2 Coed Cheer Competition. Councillor McMenimen welcomed the Cheer Team and Coach Kerrie Blanchard and presented each athlete, along with the Mayor, a Resolution and a Proclamation for their hard work and wonderful job they do being great at their sport and as representatives of the City of Waltham. Councillor McMenimen asked the girls to perform a small cheer for the crowd.

Coach Blanchard thanked everyone for the recognition. Captains of the cheer team were invited up to the chair. Councillor McMenimen moved approval of the Resolution. The motion was adopted on a voice vote and the matter was approved.

President Brasco called a two-minute recess.

Councillor Harris rose to suspend the rules to take a tabled matter; The Ritcey Award off of the table. The motion was adopted on a voice vote and the matter was approved. Councillor Harris spoke about The Ritcey Award and presented three recipients with a framed award. Cathy Magliarditi, Michelle Feeley and Mark Rudnick all thanked the Council. Councillor Harris

moved approval of the award. The motion was adopted on a voice vote and the matter was approved.

Councillor Harris also spoke of the City of Waltham receiving the 2020 Ritcey Award and moved approval of the award. The motion was adopted on a voice vote and the matter was approved.

President Brasco called a two-minute recess.

City Clerk Waddick read Rule 86.

Public hearing: Extended hours at 1033 Trapelo Road

Bernard Trumphay, the petitioner, spoke in favor of the petition. With no one else in support and no one in opposition and no one in a neutral position on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Darcy and McMenimen asked questions. With no one else in support and no one in opposition and no one in a neutral position on the petition, President Brasco referred the matter to the Licenses and Franchises Committee.

Communications from the Mayor

1. The Mayor respectfully requests acceptance of a gift of paintings of the State House and the Zakim Bridge donated by Bobby White through Representative Thomas M. Stanley. Referred to the Finance Committee.
2. The Mayor respectfully requests acceptance of portraits of Waltham landscapes done by a local Waltham artist, Nadine Geller, donated by Councillor Paz. Referred to the Finance Committee.
3. The Mayor respectfully requests an appropriation in the amount of \$20,000 to fund the professional engineering services required for an on-call water system hydraulic modeling. Referred to the Finance Committee.
4. The Mayor respectfully requests approval of funding in the amount of \$176,413 from the cable access funds account (Verizon PEG Support.) Referred to the Finance Committee.
5. The Mayor respectfully requests approval of a financing transaction totaling \$68,034.50 to fund the replacement of 11 mobile computing devices in the Fire Department apparatus vehicles. Referred to the Finance Committee.
6. The Mayor respectfully requests acceptance of a picture of Pottery Shards from Wellington House shadow box piece by Donna Laswell. Referred to the Finance Committee.
7. The Mayor respectfully submits plan for the Warming Center for 2021 – 2022. This was information only. Should have been under Rule 58.

8. The Mayor respectfully submits an email from the CPW Director to be addressed by the City Council pertaining to implications and special conditions of 17-25. Referred to the Public Works and Public Safety Committee.

Applications and Licenses

All licenses referred to the Licenses and Franchises Committee.

- Class 2 renewal – 1486 Main Street – European Auto Solutions, LLC
- Class 2 renewal – 477 Main Street – Chrislins Auto Inc.
- Class 2 renewal – 279 R Crescent Street – Waltham Auto Tow, Inc.
- Lodging house renewal – 2 Appleton Street – Stanley & Leni Bloomenthal
- Lodging house renewal – 17-19 Chestnut Street – Stanley & Leni Bloomenthal
- Lodging house renewal – 755 Main Street – Max Horn
- Lodging house renewal – 175 Forest Street Bentley University – Castle Hall Upper
- Lodging house renewal – 175 Forest Street Bentley University – HUD Tree Dorms Upper
- Lodging house renewal – 175 Forest Street Bentley University – Stratton House Beaver
- Lodging house renewal – 175 Forest Street Bentley University – Slade Hall Upper
- Lodging house renewal – 175 Forest Street Bentley University – Nathan R. Miller Hall Upper
- Lodging house renewal – 175 Forest Street Bentley University – Kresge Hall Upper
- Lodging house renewal – 175 Forest Street Bentley University – Forest Hall Upper
- Lodging house renewal – 175 Forest Street Bentley University – Fenway Hall
- Lodging house renewal – 175 Forest Street Bentley University – Copley Hall South Lower
- Lodging house renewal – 175 Forest Street Bentley University – Copley Hall North Lower

Orders, Ordinances & Resolutions

- Waltham High School Cheerleaders Resolution

Taken out of order at the beginning of the Council meeting.

- Waltham Firefighters Resolution

City Clerk Waddick read the Resolution. Councillor McMenimen spoke on the Resolution and moved to suspend the rules to act on the matter without Committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor McMenimen moved approval of the Resolution. The motion was adopted on a voice vote and the matter was approved.

Committee Reports

Committee of the Whole

1. The Committee of the Whole recommends the confirmation of the reappointment of Bernard E. Mullin Jr., 22 Hamilton Road, Waltham, Massachusetts as Director of Emergency Services for a three-year term expiring February 28, 2022. Councillor McMenimen moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz and Vidal.

Opposed: None.

Absent: LaCava and Stanley.

Presiding: Brasco.

Matter was approved 12-0.

2. The Committee of the Whole recommends the Dyslexia Resolution be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
3. The Committee of the Whole recommends the Train Horns Resolution be filed without prejudice. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
4. The Committee of the Whole recommends the Open Space Resolution be filed without prejudice. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
5. The Committee of the Whole recommends the Resolution Inviting the City Auditor to the Committee of the Whole to discuss the Bond Sale for Waltham High School be filed. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
6. The Committee of the Whole recommends the Resolution Concerning Piety Corner Intersection Project be filed without prejudice. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

Licenses and Franchises

1. The Licenses and Franchises Committee recommends the renewal of the Class 2 license for Don's Service Center, Inc. at 825 Main Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
2. The Licenses and Franchises Committee recommends the renewal of the Class 2 license for Diamond Automotive Distributors, Inc. at 614 Moody Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
3. The Licenses and Franchises Committee recommends the renewal of the Class 2 license for Prospect Automobile Sales & Service, Inc. at 143 Prospect Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
4. The Licenses and Franchises Committee recommends the renewal of the Class 2 license for Specialty Auto Sales, Inc. at 265 Bear Hill Road be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

Finance

1. The Finance Committee recommends an appropriation of \$19,500 for the Disability Services Commission to fund the handicap projects within the City be approved. Councillor LaFauci moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
2. The Finance Committee recommends acceptance of the FY2021 EMPG Grant in the amount of \$25,600 from the Massachusetts Emergency Management Agency. Councillor LaFauci moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
3. The Finance Committee recommends acceptance of a gift from Bob and Cheryl Marcou of a sculpture that was displayed at Grover Cronin's. Councillor LaFauci moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
4. The Finance Committee recommends acceptance of a donation from Connors & Connors, LLC in the amount of \$200 toward the upkeep and maintenance of the Holiday Lights on the Common. Councillor LaFauci moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
5. The Finance Committee recommends acceptance of a grant from MASSDEP Sustainable Materials Recovery Program in the amount of \$2,000 to be used for a small-scale recycling initiative. Councillor LaFauci moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

Public Works & Public Safety

1. The Public Works and Public Safety Committee recommends the Traffic Mitigation Resolution be filed without prejudice. Councillor LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
2. The Public Works and Public Safety Committee recommends the Private Way/Public Way Resolution be filed without prejudice. Councillor LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
3. The Public Works and Public Safety Committee recommends the Moody Street Commuter Parking Resolution be filed without prejudice. Councillor LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.
4. The Public Works and Public Safety Committee recommends the Resolution update on requests to the Police Chief be filed without prejudice. Councillor LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

5. The Public Works and Public Safety Committee recommends the Cheryl Lane Resolution be filed without prejudice. Councillor LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

6. The Public Works and Public Safety Committee recommends the Vandalism Resolution be filed without prejudice. Councillor LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

7. The Public Works and Public Safety Committee recommends the 17-80 street resurfacing on Nutting Road be approved. Councillor LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

Long Term Debt & Capital Planning

1. The Long Term Debt & Capital Planning Committee recommends the CPC recommendation for an allocation of CPA for funds for Phase 1 architect design services at Opportunities for Inclusion be approved. Councillor Darcy moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

2. The Long Term Debt & Capital Planning Committee recommends the CPC recommendation for an allocation of CPA for Funds for exterior renovations at 92 Felton Street be approved. Councillor Darcy moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

Economic and Community Development

1. The Economic and Community Development Committee recommends the Prospect Hill Lease Resolution be filed without prejudice. Councillor Harris moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

2. The Economic and Community Development Committee recommends the Municipal Transit Station in Downtown Waltham Resolution be filed without prejudice. Councillor Harris moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

3. The Economic and Community Development Committee recommends the Stearns Hill Pocket Park Resolution be filed without prejudice. Councillor Harris moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

4. The Economic and Community Development Committee recommends the Resolution Concerning Public Transportation in Waltham be filed without prejudice. Councillor Harris moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

5. The Economic and Community Development Committee recommends the Wayside Rail Trail Resolution be filed without prejudice. Councillor Harris moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

Unfinished Business & Other Business

- Time extension for Special Permit application at 235 Bear Hill Road for Thrive Cultivation & Dispensary, LLC

Councillor McLaughlin moved to suspend the rules to act on this matter without Committee reference. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved approval of the matter. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz and Vidal.

Opposed: None.

Absent: LaCava and Stanley.

Presiding: Brasco.

Matter was approved 12-0.

- Time extension for Special Permit application at 305 Second Ave for Middlesex Integrative Medicine, Inc.

Councillor McLaughlin moved to suspend the rules to act on this matter without Committee reference. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved approval of the matter. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz and Vidal.

Opposed: None.

Absent: LaCava and Stanley.

Presiding: Brasco.

Matter was approved 12-0.

- Time extension for Special Permit application at 1254 Main Street for Waltham Cannabis, Inc. and Michael Pollaco, Trustee of Full House Realty Trust

Councillor McLaughlin moved to suspend the rules to act on this matter without Committee reference. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved approval of the matter. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz and Vidal.

Opposed: None.

Absent: LaCava and Stanley.

Presiding: Brasco.

Matter was approved 12-0.

- Time extension for Special Permit application at 196 Bear Hill Road for Uma Flowers, LLC

Councillor McLaughlin moved to suspend the rules to act on this matter without Committee reference. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved approval of the matter. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz and Vidal.

Opposed: None.

Absent: LaCava and Stanley.

Presiding: Brasco.

Matter was approved 12-0.

- Time extension for Special Permit at 95 Moody Street (Order #34394)

Councillor McLaughlin moved to suspend the rules to act on this matter without Committee reference. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved approval of the matter. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz and Vidal.

Opposed: None.

Absent: LaCava and Stanley.

Presiding: Brasco.

Matter was approved 12-0.

- Councillor McLaughlin moved to accept a late filed communication from for a time extension from Flora Holdings at 221 Bear Hill Road. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved to suspend the rules to act on this matter without Committee reference. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved approval of the matter. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz and Vidal.

Opposed: None.

Absent: LaCava and Stanley.

Presiding: Brasco.

Matter was approved 12-0.

Tabled Items

- The Ritcey Award (Approved out of order.)
- Loan authorization totaling \$147,120 to fund the purchase equipment for the CPW Department (first reading 11/22/21)

Councillor McLaughlin moved to adjourn. The motion was adopted by a voice vote. President Brasco declared the meeting adjourned at 9:11 p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant to the City Clerk

December 21, 2021

Rule 58 For Informational Purposes Only

- Mayor's communication of the Annual Building Code Enforcement Report
- Mayor's Communication of the Certificate of Achievement for Excellence in Financial reporting for the fiscal year ending June 30, 2020.

Mayor's communication regarding Healthy Waltham Inc. update